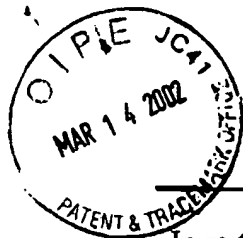


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Charles R. Ill *et al.*

Serial No.: 09/553,368

Filed: April 20, 2000

For: NOVEL VECTORS AND GENES
EXHIBITING INCREASED EXPRESSION

Attorney Docket No.: TTI-180DV

Group Art Unit: 1653

Examiner: Schnizer, M.

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By:

Jane E. Remillard
Reg. No. 38,872
Attorney for Applicants

DECLARATION UNDER 37 C.F.R. § 1.132

Sir:

I, Charles R. Ill, a citizen of the United States, residing at 1098 Oceanic Drive, Encinitas, CA 92024, hereby declare as follows:

(1) I am a co-inventor, along with co-inventors Scott Bidlingmaier, Jose E. N. Gonzales, and Claire Q. Yang (collectively referred to herein as "Applicants"), of the subject matter described and claimed in the above-identified application.

(2) I am also co-author with Scott Bidlingmaier, Jose E. N. Gonzales, Claire Q. Yang, Debbie S. Burns, Richard M. Bartholomew and Philip Scuderi of an article entitled "Optimization of the human factor VIII complementary DNA expression plasmid for gene therapy in hemophilia A" published in *Blood Coagulation and Fibrinolysis* (1997) 8 (S 2): S23-S30 and an abstract entitled "Engineering the human Factor VIII cDNA for targeted gene therapy" published in *Thrombosis and Hemostasis* (1997)

Considered
HS 6-5-02

Serial Number: 09/553,368

Page -2-

Group Art Unit: 1653

ISSN:0340-6245, Shattauer:Stuttgart:Abstract (referred to herein as "the Ill et al. references").

(3) The work described by the Ill et al. references is the Applicants' own work. In addition, to the extent that the work described by the Ill et al. references falls within the scope of the claims in the above-identified application, Debbie S. Burns, Richard M. Bartholomew and Philip Scuderi provided only technical assistance and, therefore, were not included as co-inventors.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

March 4, 2002
Date

Charles R. Ill
Charles R. Ill